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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,794	12/17/2001	Jay Richard Sobel	53921/208	4399
27871	7590	08/25/2004	EXAMINER	
BLAKE, CASSELS & GRAYDON LLP BOX 25, COMMERCE COURT WEST 199 BAY STREET, SUITE 2800 TORONTO, ON M5L 1A9 CANADA			NGUYEN, TAI T	
			ART UNIT	PAPER NUMBER
			2632	
			DATE MAILED: 08/25/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,794

Applicant(s)

SOBEL ET AL.

Examiner

Tai T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-11, 18-21 and 26 is/are rejected.
- 7) ☒ Claim(s) 12-15 and 22-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-8, 18, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by anticipated by Douglas et al. (US 6,499,353).

Regarding claims 1-3, Douglas et al. disclose an electrically operated equipment comprising:

an environmental sealed enclosure (18) having at least one wall (16) permeable to inductive magnetic flux (figure 1; col. 3, lines 50-67);

an electrically operated circuitry (12) environmental protected within the enclosure (figure 1);

a magnetic field generator (26) within the enclosure and interconnected to the electrically operated circuitry for producing a magnetic flux indicative of a of a state of operation of the electrically operated circuitry, the magnetic flux to pass through the permeable wall (figure 1; col. 4, lines 1-23);

a magnetic flux sensor (28) positioned outside of the enclosure to be influenced by the magnetic flux, thereby to induce an electrical current corresponding to the magnetic flux (figure 1; col. 4, lines 23-24); and

a visual indicator (30) positioned outside of the enclosure and electrically connected to the sensor and controllable by the electrical current to produce a visual indication of the state of operation of the electrically operated circuitry (figure 1; col. 4, lines 24-45).

Regarding claims 6-8, Douglas et al. disclose the flux sensor (28) and the visual indicator (30) being mounted upon the enclosure (figure 1) and both being sealed within a common carrier (14) and are electrically interconnected for electrical current transmission within the common carrier (figure 1).

Regarding claims 18 and 26, the claimed method steps would have been inherent in the product structure as stated in claims 1 and 6-8 above.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4-5, 9-11, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas et al. (US 6,499,353) in view of Satoh (US 4,071,714).

Regarding claim 4, Douglas et al. disclose the instant claimed invention except for the electrically operated circuitry being a power circuitry. Satoh teaches an electrically operated circuit (10) being a power circuitry for supplying power a magnetic generator (22, figure 3). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the power circuitry as taught by Satoh in the system as disclosed by Douglas et al. for the purpose of providing power operating the circuitry therein in order to generate magnetic flux indicating the operating state of operation.

Regarding claim 5, Douglas et al. disclose the magnetic field generator (26, figure 1) but fail to disclose specific detail structure of the generator of being comprised a magnetically permeable core with an electrically conductive coil wound onto the core. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to know that the magnetic filed generator must include a core and conductive coil wound around the core in order to generate magnetic flux in response to current received from the power circuitry. Satoh teaches the magnetic filed generator (22) comprising magnetic permeable core (22a) with an electrically conductive coil (22b) wound onto the core (figure 3; col. 3, lines 56-60). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the magnetic field generator (22) as taught by Satoh in the system as disclosed by Douglas et al. for the purpose of generating filed therefrom in response to current from the power circuitry.

Regarding claims 9-11, Douglas et al. disclose the magnetic flux sensor (28) for receiving magnetic field (22) to cause indicator (30) to provide a communicative indication therein (figure 1). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to know that the magnetic flux sensor must include an electrically conductive coil being wound around a permeable core for the purpose of receiving magnetic field generated by the field generator therein by magnetic coupling.

Regarding claims 19-21, the claimed method steps would have been inherent in the product structure as stated in claims 9-11 above.

Allowable Subject Matter

3. Claims 12-15 and 22-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 16-17 are allowed.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al. (US 6,657,351).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (703) 308-0160. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'T. Nguyen', with a long, sweeping horizontal line extending to the right.

August 20, 2004
Tai T. Nguyen
Examiner
Art Unit 2632